COUNCIL COMING ATTRACTIONS



Week of July 6, 2020

LGBTQ Rights, WMATA Payment in Lieu of Taxes, Energy and Air Quality Advisory Committee, Housing Production Fund, Mobile Crisis Response, Community Clinics, Medical and Dental Practices, Emergency Solutions Grant, Covid-19 Public Health and Safety Update

Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html

The Council meeting schedule may change from time to time. The current Council and Committee agendas can also be viewed at:

http://www.montgomerycountymd.gov/COUNCIL/ondemand/index.html

The Council will hold a virtual meeting on Tuesday, June 7 at 9:30 a.m.

COUNCIL

Special Appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services - \$371,761 for Support Payment to Organizations Directly Serving Developmentally Disabled Persons

On Tuesday, July 7 at 9:30 a.m. the Council will introduce a special appropriation of \$371,761 to the County's Department of Health and Human Services' (DHHS) fiscal year 2021 (FY21) operating budget for support payments to organizations serving developmentally disabled persons. As a part of its approval of the FY21 operating budget for the Montgomery County government, the Council appropriated \$17.6 million to provide support payments to eligible organizations that provide direct services to people with developmental disabilities, including residential and community supported living arrangements, day habilitation and other necessary support services. This amount was not adjusted for six new eligible organizations. The estimate for a continuity of services budget that accounts for these new organizations requires \$371,761 in additional funding. Councilmembers Gabe Albornoz, Evan Glass and Craig Rice are the lead sponsors. The Council's Health and Human Services (HHS) Committee recommends approval. A

public hearing on this appropriation is scheduled for July 14 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 2A.pdf

Special Appropriation to the County Government's FY21 Operating Budget - \$1,500,000 for Conference Center Non-Departmental Account (NDA)

The Council will introduce a special appropriation of \$1.5 million to the Conference Center NDA's FY21 operating budget. The Executive requests this special appropriation to support the operating expenses for the Montgomery County Conference Center in the event its revenues are insufficient to cover operating expenses in 2020. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. A public hearing on this appropriation is scheduled for July 21 at 1:30 p.m. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 \ \ 2C.pdf}$

Special Appropriation to the County Government's FY21 Operating Budget, COVID-19 Human Services and Community Assistance NDA - \$3,000,000 for Assistance to Community Clinics, Medical and Dental Practices

The Council will introduce a special appropriation to the Human Services and Community Assistance NDA's FY21 operating budget of \$3 million for assistance to community clinics, medical and dental practices that serve County residents. The Covid-19 health emergency required medical and dental practices, including community clinics, to stop non-emergency, in-person visits which has put a financial strain on many providers. In addition, many health providers have incurred additional expenses associated with transitioning to telemedicine and to acquire personal protective equipment. The full Council is the sponsoring this appropriation. A public hearing on this appropriation is scheduled for July 14 at 1:30 p.m. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_2D.pdf}$

Special Appropriation to the County Government's FY21 Capital Budget and amendment to the FY21-26 Capital Improvements Program, Housing Opportunities Commission - \$2,800,000 for Housing Production Fund

The Council will introduce a special appropriation to the FY21 capital budget and FY21-26 Capital Improvements Program (CIP) of the Housing Opportunities Commission (HOC) of \$2.8 million for the Housing Protection Fund. Councilmembers Hans Riemer, Andrew Friedson and Will Jawando are the lead sponsors. This appropriation will fund the creation of the Housing Production Fund and allow HOC to issue \$50 million in bonds. County funding will increase to \$6.8 million annually to allow HOC to increase the bonds to \$100 million. The funds will be used for construction period financing, which will allow HOC to accelerate projects in its development pipeline. HOC estimates it can create nearly 8,800 units of housing with the assistance of this fund. At minimum, 20 percent of the housing units will be affordable to households earning 50 percent or less of area median income and ten percent of units will be affordable to households earning incomes eligible for the Moderately Priced Dwelling Unit program. A public hearing on this appropriation is scheduled for July 28. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_2E.pdf}$

Special Appropriation to the County Government's FY21 Operating Budget, Department of Housing and Community Affairs (DHCA) - \$4,847,976 for Emergency Solutions Grant COVID-19 (ESG-CV) The Council will introduce a special appropriation of \$4,847,976 to the FY21 operating budget of DHCA for a Covid-19 emergency solutions grant. Moving people out of homelessness is a priority strategy to address Covid-19 because housing is essential to health. The federal government has awarded additional Emergency Solutions Grant (ESG) funding in response to the emergency as a part of the CARES Act. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. A public hearing on this appropriation is scheduled for July 14 at 1:30 p.m. The Council staff report can be viewed here:

MCFRS Executive Regulation 6-20, Adoption Schedule of Fees for Emergency Medical Services Transport Reimbursement Program

The Council is scheduled to vote on Montgomery County Fire and Rescue Service (MCFRS) Executive Regulation 6-20. The regulation revises the existing Emergency Medical Services Transport fee structure to align it with current Medicare rates and eliminates the required annual increase by the amount of the Ambulance Inflation Factor (AIF). MCFRS' approved FY21 budget revenue projection reflects the new fees. The Council's Public Safety (PS) Committee recommends approval. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_2K.pdf

Amendments to Ten-Year Comprehensive Water Supply and Sewerage Systems Plan: Water and Sewer Category Changes

The Council is scheduled to review and vote on amendments to the Ten-Year Comprehensive Water Supply and Sewerage Systems Plan. On April 16, the Council received a package of three water and sewer category change requests from the County Executive. A public hearing was held on June 9. The Council's Transportation and Environment (T&E) Committee recommends approval. The requests and the County Executive's recommendations are summarized in the Council staff report, which can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 3.pdf

Novel Coronavirus (Covid-19) and County Public Health Planning

The Council will sit as the Board of Health to receive an update on the County's ongoing response to the Covid-19 pandemic and its recovery efforts. Those expected to attend the meeting include the following: Dr. Travis Gayles, county health officer and chief of the Department of Health and Human Services' (DHHS) Public Health Services; Dr. Earl Stoddard, director, Office of Emergency management and Homeland Security; and Dr. Raymond Crowel, director, DHHS, are among those expected to attend. The Council staff report will be available here on July 6:

https://montgomerycountymd.gov/COUNCIL/Resources/Files/agenda/col/2020/20200707/20200707 AG.pdf

Bill 28-20, Human Rights and Civil Liberties - Discrimination in Public Accommodations - LGBTQ Bill of Rights

The Council will introduce Bill 28-20, which would define and prohibit discriminatory practices based on sexual orientation, gender expression, gender identity and HIV status in places of public accommodation, including nursing homes and other healthcare and personal care facilities. The bill also would require the posting of certain anti-discrimination notices. Councilmember Evan Glass is the lead sponsor. All other Councilmembers are cosponsors. A public hearing is scheduled for July 28 at 1:30 p.m. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_15A.pdf

#LGBTQrights is being used for this bill on social media.

Bill 29-20, Taxation - Payments in Lieu of Taxes - WMATA Property Established

The Council will introduce Bill 29-20, which would require the director of the Department of Finance to offer a payment in lieu of taxes for a residential or commercial high-rise building constructed by a private developer on property leased from the Washington Metropolitan Area Transit Authority (WMATA) at a Metro station. The bill would require the payment in lieu of taxes that would exempt 100 percent of the real property tax that would otherwise be levied for a period of 15 years beginning in the year a use and occupancy permit is issued for the qualifying development. Councilmembers Hans Riemer and Andrew Friedson are the lead sponsors. Councilmembers Evan Glass, Nancy Navarro, Council President Sidney

Katz, Councilmember Gabe Albornoz and Council Vice President Tom Hucker are cosponsors. A public hearing is scheduled for July 28 at 1:30 p.m. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 15B.pdf

#WMATAPilot is being used for this bill on social media.

Expedited Bill 30-20, Administration – Executive Branch – Chief Digital Officer

The Council will introduce Bill 30-20, which would transfer the chief digital officer from the Office of the County Executive to the Department of Technology Services. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 15C.pdf

#ChiefDigitalOfficer is being used for this bill on social media.

PUBLIC HEARINGS

All Council public hearings will be held virtually on Tuesday, July 7 at 1:30 p.m., unless otherwise specified.

Bill 25-20, Rental Assistance – Amendments

The Council will hold a public hearing on Bill 25-20, which would do the following: change the age of eligibility for the County's Rental Assistance Program (RAP); clarify the definition of a person with a documented disability; remove the prohibition of eligibility of County residents without immigration documentation; and provide that the benefit amount for RAP is established in regulations. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. The goal of this legislation is to ensure that access to RAP benefits is not conditioned upon a resident's immigration status. An HHS Committee meeting is tentatively scheduled for July 16. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_6.pdf

#MoCoRental Assistance is being used for this bill on social media.

Bill 24-20, Administration - Police - Assistant Chiefs of Police

The Council will hold a public hearing on Bill 24-20, which would create a non-merit civilian assistant chief of police position and rename the existing non-merit assistant chief of police positions. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. A PS Committee meeting is tentatively scheduled for July 23. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 7.pdf

#MoCoAsstPoliceChief is being used for this bill on social media.

Bill 26-20, Environmental Sustainability - Energy and Air Quality Advisory Committee - Amendments

The Council will hold a public hearing on Bill 26-20, which would add advising on climate change issues to the duties and responsibilities of the Energy and Air Quality Advisory Committee and change the name to the Climate, Energy, and Air Quality Advisory Committee. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. The goal of this legislation is to address the issue that currently none of the existing boards, committees or commissions within the Office of the County Executive directly advise on climate change issues. A T&E Committee meeting is tentatively scheduled for July 6. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 8.pdf

#MoCoEnergyAndAirQuality is being used for this bill on social media.

Special Appropriation to the County Government's FY21 Operating Budget, Department of Health and Human Services - \$592,202 for Mobile Crisis Response

The Council will hold a public hearing on a special appropriation of \$592,202 to the FY21 operating budget of the County's Department of Health and Human Services (DHHS) to expand mobile crisis response services. DHHS operates the Crisis Center and staffs one Mobile Crisis Team, which is based in Rockville. The Mobile Crisis Team is a two-person team that responds to calls made directly to the Crisis Center and when the police request their assistance as a part of a police response. Currently, the Mobile Crisis Team can only respond to one call at any time. While work on scaling up this response model is underway, the need has been identified for additional licensed social workers in DHHS to lead additional Mobile Crisis Teams. This special appropriation would fund three social worker positions, so that the hiring process may begin to expand these response teams. The funding includes bi-lingual pay and it is critical that these positions include those who can serve residents for whom English is not their primary language. The full Council is sponsoring this appropriation. A joint PS and HHS Committee meeting is tentatively scheduled for July 9. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_9.pdf

Special Appropriation to the County Government's FY21 Operating Budget, Arts and Humanities Council of Montgomery County Non-Departmental Account (NDA) - \$3,250,000 for Arts Covid-19 Relief Fund

The Council will hold a public hearing on a special appropriation of \$3,250,000 to support creative professionals and arts and humanities organizations that have been financially impacted by the Covid-19 global pandemic. The special appropriation provides \$250,000 in mini-grants of up to \$3,000 to individual artists and \$3 million in general operating support grants to organizations. Compared to surrounding jurisdictions, Montgomery County's arts and humanities sector has experienced the highest loss in revenue due to canceled performances, exhibitions and events, since Maryland Governor Hogan's Executive Order was issued to close performing and visual arts, concert and film venues as well as museums. This appropriation, which was initiated by Councilmembers Craig Rice and Evan Glass, is sponsored by the full Council. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 10.pdf

Special Appropriation to the County Government's FY21 Operating Budget, Economic Development Fund - \$14,000,000 for Support for Covid-19 Response Reopen Montgomery

The Council will hold a public hearing and vote on a special appropriation of \$14 million to the FY21 operating budget of the County's Economic Development Fund to support the creation of Reopen Montgomery. The full Council is sponsoring this appropriation. This grant program will be administered by the Department of Finance through the Economic Development Fund and will provide reopening grants for County businesses that incur reopening expenses to comply with State and County health regulations following the Covid-19 health crisis. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707 11.pdf

Bill 13-20, County Property - Disposition - Affordable Housing

The Council will hold a public hearing on Bill 13-20, which would require a disposition of property that will be used primary for housing development to include a certain number of moderately priced dwelling units and exempt certain dispositions from certain requirements if the disposition will include a certain percentage of moderately priced dwelling units and lower income dwelling units. Councilmember Will Jawando is the lead sponsor. The Council staff report can be viewed here:

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_12.pdf

#PublicLandforAffordableHousing is being used for this bill on social media.

Special Appropriation to the County Government's FY21 Operating Budget, Office of the County Executive, Non-Competitive Award for Maryland Technology Council, Support for Covid-19 Response, \$250,000 for Business Continuity Task Force

The Council will hold a public hearing and vote on a special appropriation of \$250,000 to support the Maryland Technology Council's (MTC) creation of a Business Continuity Task Force. The funding supports staff salary, outreach and administrative costs for the program in the County. MTC estimates that approximately 65 to 80 County businesses will receive support based on the \$250,000 funding level. The Business Continuity Task Force will provide technical experience for small and mid-size technology and life sciences businesses in the County to aid in navigating the economic landscape that has been shaped by the global pandemic. The support will include assistance to retain and rehire staff, maintain revenue streams and access capital. The full Council is sponsoring this appropriation. The Council's Planning, Housing and Economic Development (PHED) Committee recommends approval. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_13.pdf}$

Expedited Bill 27-20, Police - Regulations - Use of Force Policy

On July 7 at 7:30 p.m., the Council will hold a public hearing on Expedited Bill 27-20, which would require the police chief to adopt a use of force policy directive and require the use of force policy to include certain minimum standards to protect the public. The minimum standards would, among other things, include: prohibiting a member of the police force from using deadly force, including a neck restraint or carotid restraint unless it's a last resort to prevent serious bodily injury or death of an officer or another person; the use of such force creates no substantial risk or injury to a third person; and reasonable alternatives to the use of such force has been exhausted. The bill also requires officers to intervene, if they witness the excessive use of force by another officer. Councilmembers Will Jawando, Craig Rice, Nancy Navarro and Gabe Albornoz are the lead sponsors. All other Councilmembers are cosponsors. This legislation is necessary to help to prevent the unnecessary use of force in police enforcement actions and ban certain practices that can contribute towards unnecessary deaths and serious bodily injury.

At the PS Committee meeting on Expedited Bill 27-20, it is expected that several amendments to the bill will be discussed including: prohibiting no-knock warrants; prohibiting shooting at vehicles; requiring written police guidelines for interactions with individuals with disabilities; and prohibiting neck restraints and carotid restraints in all circumstances. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2020/20200707/20200707_16.pdf

#UseOfForce and #PoliceReform are being used for this bill on social media.

COMMITTEES

Special Appropriation to the County Government's FY21 Operating Budget, Economic Development Fund - \$14,000,000 for Support for Covid-19 Response Reopen Montgomery

On July 6 at 9 a.m., the PHED Committee will review a special appropriation of \$14 million to create the Reopen Montgomery Program. See page four of this document for more information. The following individuals are expected to participate in the meeting: Jerome Fletcher, assistant chief administrative officer, Office of the County Executive; Tina Benjamin, special projects manager, Office of the County Executive; and Mike Coveyou, director, Department of Finance. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020/20200706/20200706\ PHED1.pdf}$

Recreation Summer Activities for Youth

The PHED Committee will receive a briefing about the Recreation Department's plans for reopening recreation facilities and providing summer activities for youth. Those individuals expected to participate in

the meeting include the following: Robin Riley, director, Montgomery Recreation; and Caroline Sturgis, assistant chief administrative officer. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020/20200706/20200706 PHED2.pdf

Climate Change Planning

On July 6 at 2:30 p.m. the T&E Committee will receive an update on the development of the County's Climate Change Action and Resilience Plan. A climate change planning process was initiated in summer 2019, to move toward the County's aggressive greenhouse gas reduction goals. This process included the creation of five workgroups looking at the following aspects of the issue: clean energy; buildings; transportation; adaptation and sequestration; and public engagement. The following individuals are expected to participate in the meeting: Adriana Hochberg, assistant chief administrative officer and director of County climate policy; Adam Ortiz, director, Department of Environmental Protection (DEP); Patty Bubar, deputy director, DEP; and Stan Edwards, chief, Division of Energy, Climate, and Compliance, DEP. The Council staff report can be viewed here: https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020/20200706/20200706 TE1.pdf

Bill 26-20, Environmental Sustainability - Energy and Air Quality Advisory Committee - Amendments

The T&E Committee will review Bill 26-20, which would add advising on climate change issues to the duties and responsibilities of the Energy and Air Quality Advisory Committee and change the name to the Climate, Energy, and Air Quality Advisory Committee. Council President Sidney Katz is the lead sponsor, at the request of the County Executive. The goal of this legislation is to address the issue that currently none of the existing boards, committees or commissions within the Office of the County Executive directly advise on climate change issues. The Council staff report can be viewed here:

 $\underline{https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2020/20200706/20200706_TE1.pdf}$

#MoCoEnergyandAirQuality is being used for this bill on social media.

Expedited Bill 27-20, Police - Regulations - Use of Force Policy

On July 9 at 9:30 a.m. the PS Committee will review Expedited Bill 27-20. See page five of this document for more information. The Council staff report will be available on July 7.

Special Appropriation - \$592,202 for Mobile Crisis Response

On July 9 at 11:30 a.m. the PS and HHS Committees will meet jointly to review a special appropriation of \$592,202 to the FY21 operating budget of the County's Department of Health and Human Services (DHHS) to expand mobile crisis response services. DHHS operates the Crisis Center and staffs one Mobile Crisis Team. See page four of this document for more information. The Council staff report will be available on July 7.

ZTA 20-01, Solar Collection System - AR Zone Standards

On July 9 at 1:30 p.m. the PHED and T&E Committees will meet jointly to review Zoning Texting Amendment (ZTA) 20-01, which would revise the solar collection system use standards to allow larger facilities in the Agricultural Resource (AR) zone. Councilmember Hans Riemer and Council Vice President Tom Hucker are the lead sponsors. The total amount of collection systems on all parcels would be limited to 1,800 acres. Any collector system constructed under the proposed amendment must be designated pollinator-friendly under the Maryland Pollinator-Friendly Designation Program. The Council staff report will be available on July 7.

FY21 Budget Savings Plan

The PHED Committee is tentatively scheduled to meet on July 10 at 9:30 a.m. to review the County's FY21 budget savings plan, which is expected to be transmitted to the Council by the County Executive during the week of July 6. The Council staff report will be available on July 8.

OHR Survey and Implications for Hiring and Retention

On July 10 at 1:30 p.m. the Government Operations and Fiscal Policy (GO) Committee will review the recent County Office of Human Resources (OHR) survey and its implications for hiring and retention. The Council staff report will be available on July 8.

FY21 Budget Savings Plan

The GO Committee is also tentatively scheduled to review the County's FY21 budget savings plan, which is expected to be transmitted to the Council by the County Executive during the week of July 6. The Council staff report will be available on July 8.

Public Election Fund

The GO Committee will close out its meeting with a review of the Public Election Fund, which provides public campaign financing for County Executive and Council candidates. The Council staff report will be available on July 8.